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SENATE BILL 910

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Richard C. Martinez

AN ACT

RELATING TO HIGHER EDUCATION; REQUIRING A SALARY STANDARD FOR
ADJUNCT AND OTHER NONTENURE-TRACK FACULTY; PROVIDING FOR THE
RESTORATION OF FULL-TIME TENURED OR TENURE-TRACK FACULTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. FACULTY STANDARDS--REQUIREMENTS FOR
PERCENTAGE OF TENURED OR TENURE-TRACK FACULTY--SALARIES--
HEALTH CARE.--

A. Each public post-secondary educational
institution shall determine the number of undergraduate
courses taught by adjunct faculty, other contingent faculty,
tenure-track faculty and tenured faculty in each academic
department. Those academic departments with at least eight
full-time- equivalent positions that do not have seventy-five
percent of the courses taught by tenured or tenure-track

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1 faculty shall, beginning with the 2007 academic year, and in
2 each succeeding year, increase the share of courses taught by
3 full-time tenured or tenure-track faculty. By the beginning
4 of the 2013 academic year seventy-five percent of courses
5 taught in each academic department at each public post-
6 secondary educational institution shall be taught by tenured
7 or tenure-track faculty. In no academic year between the 2007
8 academic year and the 2013 academic year shall any department
9 have less than a one-tenth reduction in the gap between the
10 percentage of undergraduate courses taught by tenured or
11 tenure-track faculty and the required seventy-five percent.

12 B. Each public post-secondary educational
13 institution shall create a plan to meet the requirements
14 specified in Subsection A of this section. In its plan, the
15 institution shall state how it intends to meet the state
16 requirement of seventy-five percent tenured or tenure-track
17 faculty by 2013; provided that the plan shall not rely on
18 eliminating current adjunct or other nontenure-track faculty
19 positions, but by creating new opportunities for adjunct and
20 other nontenure-track faculty to attain full-time, tenure-
21 track positions and by filling vacancies in tenure or tenure-
22 track positions.

23 C. Each public post-secondary educational
24 institution shall establish a process by which adjunct and
25 other nontenure-track faculty, after successful completion of

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1 a reasonable probationary period and consistent with
2 institutional and state policies, receive timely notice of and
3 priority consideration for adjunct or nontenure-track teaching
4 assignments in future academic terms. Each institution shall
5 create a process for ensuring that qualified nontenure-track
6 faculty receive preferential consideration for tenure-track
7 positions when they become available, consistent with
8 institutional and state personnel policies. The process shall
9 ensure that adjunct and other nontenure-track faculty:

- 10 (1) accumulate seniority;
- 11 (2) are notified of job openings prior to the
12 job being posted outside the institution; and
- 13 (3) have preferential consideration for
14 appointments.

15 D. By the 2007 academic year, each public post-
16 secondary educational institution shall determine a pro-rata
17 salary plan for adjunct and other nontenure-track faculty
18 employed in each academic department based on salaries of
19 tenured and tenure-track faculty of comparable qualifications
20 doing comparable work. The pro-rata salary plan shall be
21 developed during collective bargaining with the exclusive
22 representatives of the adjunct and other nontenure-track
23 faculty or, in the absence of collective bargaining, by a
24 committee representing all elements of the faculty of the
25 institution and the administration. The pro-rata plan shall

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1 provide for progressive salary increases for adjunct and other
2 nontenure-track faculty so that by the 2013 academic school
3 year the salaries of those faculty are at least eighty percent
4 of comparable tenured and tenure-track faculty.

5 E. If an adjunct or other nontenure-track faculty
6 member at a public post-secondary educational institution
7 carries at least fifty percent of the established teaching
8 load of tenured and tenure-track faculty, the adjunct or other
9 nontenure-track faculty member shall be eligible for the same
10 health care benefits as tenured and tenure-track faculty.

11 F. The provisions of this section shall be subject
12 to collective bargaining with the exclusive representatives of
13 the adjunct and other nontenure-track faculty.